

# DEVELOPMENT MANAGEMENT COMMITTEE

9 August 2017

Present: Councillor M Williams (Deputy Chair in the Chair)

Mr A Archer, Councillor P Baker, Mrs D Clements, Councillor Ms C Gwyther, Councillor P Harries, Mrs G Hayward, Mrs J James, Councillor M James, Councillor P Kidney, Councillor PJ Morgan and Mr AE Sangster.

[Councillor M Evans arrived during consideration of application NP/16/0701(*Minute 6a*) refers]

[Llanion Park, Pembroke Dock 10.00am – 12.45pm]

## 1. Apologies

Councillor K Doolin, Dr R Heath-Davies, Councillor R Owens, Councillor A Wilcox and Councillor S Yelland

## 2. Disclosures of interest

The following Member(s)/Officer(s) disclosed an interest in the application(s) and/or matter(s) referred to below:

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minute 6(c) below</i> NP/17/0178/FUL Change of use from Class A1 (retail) to Class A3 (hot food takeaway) use – including ancillary seating & the installation of extraction & ventilation equipment, 1-3 South Parade, Tenby	Councillor M Evans	Withdrew from the meeting while the application was discussed
<i>Minute 6(d) below</i> NP/17/0137/ADV 2 no. fascia signs & 2 no. projecting signs 1-3 South Parade	Councillor M Evans	Remained in the meeting and played a full part in the discussion and voting on the application



<p><i>Minute 6(g) below</i>          NP/17/0229/S73          Vary condition no. 2 of          NP/15/0526/FUL –          Alterations to          Clubhouse, Buttyland          Caravan &amp; Camping          Park, Manorbier, Tenby</p>	<p>Councillor M Evans</p>	<p>Withdrew from the          meeting while the          application was          discussed</p>
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<p><i>Minute 6(h) below</i>          NP/17/0258/FUL          Retention 35          hardstandings &amp; electric          hook-up points;          temporary change of use          of existing building as a          fish &amp; chip shop; use of          portacabin as a          temporary reception          office, Buttyland          Caravan &amp; Camping          Park, Manorbier, Tenby</p>	<p>Councillor M Evans</p>	<p>Withdrew from the          meeting while the          application was          discussed</p>
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**3. Minutes**

The minutes of the meetings held on the 14 June, 21 June and 3 July 2017 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meetings held on the 14 June, 21 June and 3 July 2017 be confirmed and signed.

**NOTED.**

**4. Right to speak at Committee**

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7<sup>th</sup> December 2011, speakers would have 5 minutes to speak (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

<b>Reference number</b>	<b>Proposal</b>	<b>Speaker</b>
<p>NP/16/0701/FUL  <i>Minute 6(a)</i>  <i>refers</i></p>	<p>Erect a 2 storey, 3 bedroom dwelling - Bryn Y Mor, Narberth Road, Tenby</p>	<p>Lynda Jones,          Agent</p>



NP/17/0048/FUL <i>Minute 6(b)</i> <i>refers</i>	Development of 41 residential dwellings & associated works - Land to the rear of Cross Park, New Hedges, Tenby	Lowri Hughson-Smith, Agent
NP/17/0178/FUL <i>Minute 6(c)</i> <i>Refers</i>	Change of use from Class A1 (retail) to Class A3 (hot food takeaway) use – including ancillary seating & the installation of extraction & ventilation equipment - Units 1-3 South Parade, Tenby	Mr Andrew Davies – Tenby Town Council, Objector Mr Cai Parry (Barton Wilmore), Objector Mr Gareth Hooper, Agent
NP/17/0137/ADV <i>Minute 6(d)</i> <i>refers</i>	2 no. fascia signs & 2 no. projecting signs - Units 1-3 South Parade, Tenby	Mr Andrew Davies, Tenby Town Council, Objector
NP/17/0150/FUL <i>Minute 6(e)</i> <i>Refers</i>	Build a three storey rear extension & create a vehicular access through the existing building connecting to the rear parking. Demolish rear late additions, new rear windows and doors with minor internal alterations throughout - Cliffe Norton Hotel, 10 The Norton, Tenby	David JP Morgan, Objector
NP/17/0151/LBA <i>Minute 6(f)</i> <i>Refers</i>	Construction of three storey extension to rear, creation of vehicular access through existing hotel to connect to rear car park. Demolition of later rear additions. New windows and doors to rear. Minor internal alterations - Cliffe Norton Hotel, 10 The Norton, Tenby	Mr John McKellar, Objector
NP/17/0229/S73 <i>Minute 6(g)</i>	Vary condition no. 2 of NP/15/0526/FUL –	Mr Mark Sanders, Agent



Refers	Alterations to Clubhouse - Buttyland Caravan & Camping Park, Manorbier, Tenby	
NP/17/0258/FUL Minute 6(h) Refers	Retention 35 hardstandings & electric hook-up points; temporary change of use of existing building as a fish & chip shop; use of portacabin as a temporary reception office - Buttyland Caravan & Camping Park, Manorbier, Tenby	Mr Mark Sanders, Agent

## 5. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system and stated that planning decisions had to be made in accordance with statutory provisions and the adopted Local Development Plan unless material considerations indicated otherwise. It stressed that non-material considerations had to be disregarded when taking planning decisions and stated that personal circumstances were only very rarely material to planning decisions. The duty of the Authority carry out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 and the Planning (Wales) Act 2017 Part 2 was also highlighted. Provided members applied the Planning Acts lawfully and in a fair and impartial manner they would also comply with the Authority's duties under the Human Rights Act 1998 insofar as it applies to planning decisions. It was also important that Members applied the guidance contained in the Authority's Planning Code of Good Practice while carrying out their statutory duties.

The Solicitor also advised that reference should be made in several of the reports to Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 which required the Authority to have special regard to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses. This was a material consideration that must be accorded significant weight, not simply a material consideration as described in the reports

### NOTED

## 6. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Team Leader, together with any updates reported verbally



on the day and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

- (a) REFERENCE: NP/16/0701/FUL  
APPLICANT: Mr & Mrs Manby  
PROPOSAL: Erect a 2 storey, 3 bedroom dwelling  
LOCATION: Bryn y Mor, Narberth Road, Tenby

It was reported that the application site was a modest undeveloped plot of land which lay in an elevated position above the level of Narberth Road, with a large specimen Ash tree, the subject of an individual Tree Preservation Order, to the south east corner. This full planning application sought permission for the construction of a single detached dwelling with access, parking and garden space.

The application was reported to the Committee as the officer's recommendation was contrary to that of Tenby Town Council which had recommended refusal. In addition 5 letters of objection had been received from neighbours to the application site and a further 3 following the re-consultation on amended plans. The issues raised were summarised in the report. It was reported at the meeting that a further letter had been received from the neighbour at 1 Southlands and this had been circulated to the Committee earlier in the week with the agreement of the Chair.

It was noted that varying density and design could make places interesting, and that new development should take account of the prevailing relationship of buildings to landscape. In this instance, officers considered that the proposed dwelling would be acceptable at this location as it was shown that the size of the proposed dwelling plot would not be out of keeping with that of neighbouring plots in the immediate streetscene. The proposed design and external materials to be used were considered to be in keeping with the mix of dwellings at Narberth Road which were of both older and more modern appearance, there would be sufficient private garden and amenity space for a three bedroom dwelling, which would not materially harm the existing amenity and privacy at this location. In light of this, the proposal was considered to accord with the Local Development Plan and could be supported by officers, who recommended approval subject to conditions.

There was one speaker on this application, Lynda Jones the Agent. She explained that the site consisted of undeveloped land, and an application for one dwelling had been submitted. When it became clear that there were issues with the submission, additional survey work was undertaken and a revised design was presented which addressed the concerns. The



resultant scheme was smaller, and the car port had been removed. In considering the building to plot ratio of the site with others in the vicinity, it was found to be comparable to the dwellings in Southlands. The Highway Authority was now happy with the rearranged access and parking provision. The agent explained that concerns regarding the amenity of 1 Southlands had been carefully considered; there was only 1 window on the north-west elevation, to a non-habitable space, and that was partly obscured. There were three windows on the north-eastern elevation, the closest of which was from the en-suite, with the others being at 90 degrees. In addition Southlands was at a higher elevation to the proposed dwelling. With regard to the distance to the windows of The Chalet which was located across the Narberth Road, the closest of these was 17.5m which was similar to those in various estates in Tenby. Turning to the Ash tree, an Arborist had looked at this and had submitted a method for its protection during construction, and the Authority's Tree and Landscape Officer had recommended conditional consent. In conclusion she asked the Committee to grant approval to provide an additional dwelling in Tenby, together with a commuted sum towards the provision of affordable housing.

Several Members had concerns regarding different aspects of the application, including overdevelopment of the site and protection of the Ash tree, and it was requested that an informative be added to any approval to remind the developer of the tree's protected status. There was also some discussion regarding the need to ensure site levels shown in the drawings were adhered to, however the officer confirmed that this would be covered by condition 4 set out in the report. Likewise concerns regarding full balconies being created instead of the Juliet balconies shown on the plans could be controlled through condition 11 removing permitted development rights. Other Members, however, agreed that the orientation of windows together with separation distances between the proposed dwelling and other properties in the area were typical of situations that were acceptable, and the recommendation of approval was moved and seconded.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, construction method statement, finished floor levels, access, parking and turning, finishes, surface water drainage and removal of some permitted development rights.**



- (b) REFERENCE: NP/17/0048/FUL  
APPLICANT: Mr N Garrod, Millbay Homes Ltd  
PROPOSAL: Development of 41 residential dwellings & associated works  
LOCATION: Land to the rear of Cross Park, New Hedges, Tenby

It was reported that the proposed site was a housing allocation in the current Local Development Plan (LDP) and had previously been granted outline consent for 31 dwellings under NP/14/0479. Planning approval was now sought for the development of 41 residential properties and associated external works within the application site. The application was reported to the Committee as it was classed as major development and also in view of the objection received from the Community Council.

Several letters of objection had been received, including two since the report had been written and the matters raised were summarised in the report.

The housing allocation within the LDP required any proposed development to provide a substantive planted buffer for this site. The scheme proposed retention of existing trees worthy of this as mature landscaping within and bounding the site, together with the central hedgebank. This together with new planting was considered to provide a robust scheme of landscaping to prevent the development causing any significant visual intrusion. It was also considered that the proposed development when viewed from the surrounding landscape and seascape would be read in context within the existing development within New Hedges and would not appear as skyline development.

With regard to the provision of affordable housing, the developer initially proposed this in the form of 4 units of 1 bedroom flats, to be secured by S106 agreement. Consultations were also undertaken with the relevant bodies and contributions were requested by way of planning obligations for education, recreation and amenity open space and community facilities. During the processing of the application a request to consider the viability of the scheme was received, and a report received from the District Valuer outlined that the proposed scheme was not viable. Several adaptations to the scheme were considered and a scheme based on no planning obligations and a reduction in the provision of onsite affordable units down to 3 was found to be viable. Officers considered this to be sufficient to meet the affordable housing needs given the viability review by the District Valuer.

Turning to siting and sustainable design, it was reported that the layout ensured that all the new dwellings were located at appropriate distances away from adjacent existing dwellings and this together with orientation



and landscaping features would ensure that the visual impact from the development, its siting and proposed layout was considered to have an acceptable design. The proposed method of construction would be sustainable in nature and include high energy performing fabric. As such the proposal was considered to be acceptable in sustainable design terms.

The report considered issues of amenity and privacy and considered that while there might be a small impact on the amenity of the existing dwellings adjacent to the proposed development site, this would not be at a level which would be considered to have a significant detrimental impact on the amenity of those neighbours.

Several letters from neighbours had raised concerns regarding the possibility of the new development resulting in the flooding of properties along Hunters Park, suggesting that the proposed details of rain water discharge from the site, surface water and sewer capacity in the village were not adequate. Pembrokeshire County Council Drainage Engineers and Dŵr Cymru Welsh Water had been consulted on the proposed foul and surface water details and had no adverse comments to make subject to the imposition of conditions.

Following consideration of the policies contained within the Local Development Plan and National Planning Policy, and having regard to all material considerations, officers considered that the development would be in keeping with the aims of the LDP in that the development was considered to provide new residential properties while sustaining the local character and not impacting on privacy or amenity of neighbours. As such, and subject to S106 Agreements and a schedule of suitable conditions, the development was considered to be acceptable and it was recommended that the application be delegated to officers to grant planning permission subject to conditions and completion of S106 Agreements within 3 months of the date of the meeting.

There was one speaker, Lowri Hughson-Smith, planning consultant speaking on behalf of the applicant. She noted that the site was an allocation in the LDP, was located in a sustainable location and already had planning permission. Turning to the key concerns raised by residents and the Community Council, she considered that density, at 2.1 dwellings per hectare, was in keeping with existing properties, and was in fact lower than that at the adjacent Hunters Park. The dwellings were separated from existing properties by 23m with a buffer and while consideration had been given to providing bungalows, this was found not to be viable. Concerns had also been expressed regarding the risk of flooding and the capacity of the foul sewer, however she noted that the relevant agencies had been consulted and had supported the application subject to





conditions. She added that a robust drainage assessment had been undertaken and that she believed would be no adverse impact and properties would be safeguarded against flood risk. With regard to the proposed S106 Agreement, a costings appraisal had been undertaken, and payment of the contributions in full were found not to be viable. She added that Mill Bay Homes operated with a social purpose, being a subsidiary of Pembrokeshire Housing. They had a proven track record in ensuring that their properties were priced at an affordable level. In summary, the development fully accorded with national and local policies, would not have an adverse impact and would deliver significant community benefit, as well as delivering affordable homes.

Some Members were disappointed that only 3 of the units on the site were affordable and with the lack of any community benefit as there was a need for a revamped play area in the village. It was hoped that this could be reconsidered in future. Officers clarified that the 3 units would be passed to a registered social landlord with the remaining 38 sold on the open market, but they understood these would be marketed at a price that was realistic and with some available under a shared ownership scheme as on other sites operated by the company.

**DECISION: That the application be delegated to the Chief Executive /Director of Planning /Team Leader to grant permission subject to conditions relating to timing, accordance with plans, hedgerow protection, ecology, contamination, drainage, access, parking and turning and landscaping; and completion of a S106 Agreements in respect of the provision of affordable housing within 3 months of the date of the meeting.**

*[With the agreement of the Committee, the Chairman moved the following application from its original position on the agenda]*

*[Councillor ML Evans disclosed an interest in this application and withdrew from the room while it was considered.]*

- (c) REFERENCE: NP/17/0178/FUL  
APPLICANT: Dominos UK & Ireland Ltd  
PROPOSAL: Change of use from Class A1 (retail) to Class A3 (hot food takeaway) use – including ancillary seating & the installation of extraction & ventilation equipment  
LOCATION: Units 1-3 South Parade, Tenby

Planning Permission was sought for the change of use of these units from A1 to A3 use, to allow a pizza restaurant and takeaway. The external works to the premises would involve the redecoration of the shopfront, replacement of the shop doors of units 1 and 3 with full length glazing, the



installation of fresh air intake and acoustic louvres wall panel equipment and an oven extract duct. The proposed signage was the subject of an accompanying application NP/17/0137/ADV (*Minute 6(d) refers*).

The application site was located in a key position in Tenby on the junction of South Parade and Upper Park Road – opposite the Town Walls, and behind the War Memorial (a Grade II Listed building) and Memorial Gardens.

Members were reminded that planning permission had been approved in 2011 for the demolition of the former Delphi Hotel buildings which fronted both South Parade and Upper Park Road, and located to the rear of the memorial gardens, and their redevelopment with apartments, provided as affordable homes for rent and commercial units on the ground floor. The development was completed in 2016 and the apartments were occupied.

The Solicitor advised that consideration should be given to Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 which required the Authority to have special regard to the desirability of preserving the setting of a listed building – in this case the neighbouring War Memorial and Garden. This was a material consideration of significant weight.

It was reported that the application was reported to the Committee as the officer's recommendation was contrary to that of Tenby Town Council. Thirteen letters of objection had also been received and the main issues raised were summarised in the report. The Chair referred to a letter from Barton Wilmore which all Members had received prior to the meeting. It was also reported that a response had been received from Tenby Chamber of Trade and Tourism which felt that an A3 use at this location would have a detrimental impact on the town centre. They were also concerned about the impact of delivery vehicles on traffic flow in South Parade.

Officers considered that the principle of the proposed A3 use was acceptable at this location which was within the Centre boundary of Tenby and its Retail Centre. The alterations proposed were not considered to be harmful to the streetscene and the use therefore not incompatible with its location. In respect of amenity, a number of objections had been received. Pembrokeshire County Council Pollution Control Team had recommended conditional consent, including a condition restricting opening to members of the public to 10pm. Officers had asked if additional acoustic protection could be installed in the ceilings to deaden the noise of activity to the apartments above. The applicants had agreed to both these conditions and consultation with the



Pollution Control Team and Buildings Regulations to assess the most effective method of achieving this were ongoing.

While the Highway Authority had no objection, officers had asked for further transport data which would be more representative of a seaside resort, and this was currently being collated. The applicants had also agreed to provide a transport management plan detailing how the orders and deliveries would be managed and this would also be the subject of a re-consultation exercise. Therefore it was recommended that the application could be supported by officers and delegated to the Chief Executive/Director of Planning/Team Leader to issue permission subject to the receipt of suitable details for the acoustic ceiling and traffic management and subject to conditions set out in the report.

Mr Andrew Davies, Clerk to Tenby Town Council, then addressed the Committee. He explained that the Town Council were not adverse to a national company locating in the town, however they did not feel that this was the right location due to the likely traffic congestion in the area resulting from the delivery vehicles and customers collecting orders; such a business was also likely to attract customers resident outside of the town. He noted that South Parade, a one way street, could currently become congested as a result of the bus stop and narrowing to protect access to the fire station; parking spaces that were nearby were used by residents. Mr Davies added that he believed that the loading bay which the operators had stated would be used for service deliveries was only operational after 6pm which meant delivery vehicles would be parked on the Parade, increasing congestion; he also doubted that delivery drivers would park in the multi-storey car park and walk to the shop to collect their deliveries. While the Town councillors acknowledged that the planning system could not address illegal parking, it was required to ensure highway safety; the Town Council also had concerns that such parking could harm pedestrian safety.

The amenity of residents with regard to noise was also of concern and reference was made to an appeal in which permission to extend opening hours of premises 50m away had been dismissed on the grounds that the extended operation would take place when residents, including those at the nearby elderly housing complex, could expect quiet. The Town Council were also concerned that the presence of benches on South Parade would encourage people to consume food outside and that this would lead to an increase in litter, to the detriment of the war memorial. They asked that should permission be granted, a further condition be imposed requiring the operators to remove litter from the area.

The second speaker was Cai Parry from Barton Wilmore representing Pembrokeshire Housing, the owners of the site, and the residents living in



the building. He referred to letters dated 24 April and 8 August which set out their objections in full. In essence they were concerned at the impact on local amenity and the danger to highway safety, considering that an A3 use would have a significantly higher impact than the retail use already approved. The extraction duct would have an impact on the amenity of local residents with the upper floor windows being exposed to noise and odour. Although odour mitigation measures were proposed, if the application were approved, uses requiring higher impact odour measures, such as those selling for example kebabs, could operate within the same use class. Mr Parry noted that one of the conditions of the lease was that any external alterations required the permission of the landowner, and the applicant did not have that permission. Therefore the mitigation required by condition 3 as set out in the report could not be carried out. His clients also had concerns regarding littering at this important gateway site and safety, due to the narrow road which had no parking. He suggested it would be irresponsible to invite permission for collections at this location as this would be detrimental to public safety. The application was considered to conflict with policies 30, 50, 52 and 53 of the Local Development Plan and he asked the Committee to refuse the application, adding that if they were in any doubt they should defer the application to allow additional information to be submitted.

The Solicitor clarified that the current ability to implement condition 3 was a private matter between the landlord and the operator that could be resolved, and not a material planning consideration that would warrant refusal of the application.

The final speaker was Gareth Hooper, the agent. He said that his clients were pleased at the recommendation of approval, pointing out that this would bring back into use a vacant site which currently did not contribute and attract people to the town or provide employment. He noted that the site was in the town centre, the preferred location for takeaways, and when assessed against the Local Development Plan the application had complied. Although the highway network was restricted, the Highway Authority had raised no objection and he noted that under its current Use Class the building could be occupied by a convenience store. Mr Hooper stated that 80% of orders were delivered, and his clients had agreed to provide a management plan which would ensure that vehicle movements could be managed. He anticipated that in the peak holiday season customers would order pizza and collect it on the way back to the car. Turning to amenity, they had worked closely with Pollution Control, and a state of the art ventilation system that was suitable for many types of A3 uses was proposed so there would be no material impact on residents. It was noted that concerns regarding proximity to the War Memorial had not been raised by the Authority's Conservation Officer or by Cadw, and he believed that most litter would be disposed of at home or in the litter bins



provided in store. He concluded by saying that if approved, the application would bring back into use a vacant building, providing jobs, contributing a sustainable economic use and making a positive contribution to the local economy. Concerns regarding traffic, noise and odour could be dealt with by condition.

While they acknowledged the importance of the provision of such services, several Members expressed concerns regarding the location of such an outlet, believing that it would cause nuisance, noise and chaos for local residents. The proximity to the historic town walls and the memorial gardens was also raised, with the view expressed that their tranquillity should be maintained as a mark of respect and that litter could easily become a problem. It was noted that by its very nature an extraction system would extract something which would impact on residents living above, and there was sympathy for them as they would not have anticipated an A3 use on the ground floor of their building.

However other Members questioned whether the problems caused by the differences between an A3 and an A1 use were serious enough to warrant refusal, particularly as the relevant experts had no objection subject to conditions. The recommendation of delegation to officers to issue permission subject to receipt of further information and conditions as set out in the report was moved and seconded. This vote was lost.

A proposal to refuse the application was then moved and seconded, with the reasons given as the application being contrary to policies 30 and 53 of the LDP, the lack of traffic management plan and lack of information on acoustic attenuation. The Director of Planning confirmed that these were valid planning grounds, however she did not wish to invoke the Authority's 'Cooling Off' procedure. A vote was then taken for refusal of the application and this was won.

**DECISION: That the application be refused for the following reasons:**

1. The proposed development would introduce an inappropriate and incompatible use, within a retail unit which has residential units above and surrounding, that constitutes a source of nuisance to nearby residents, by virtue of noise, smell/odours, litter and disturbance, contrary to Policy 30 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010), which seeks to restrict developments which will result in an unacceptable impact on amenity where the use is inappropriate for where people live and particularly where it will lead to an increase in traffic, noise and odour.
2. The proposed A3 use at this location would give rise to short-term, indiscriminate and illegal on-street parking along nearby roads which



will create traffic hazards and affect the safety and free flow of traffic to the detriment of highway and pedestrian safety contrary to Policy 53 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010), which seeks to prevent inappropriate traffic generation and impacts on road safety.

3. The proposal fails to provide a traffic management plan for the takeaway element of the proposal which would be necessary for further consideration under policy 53 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010).
  4. The proposal fails to provide information regarding acoustic attenuation detailing to the building which would be necessary for further consideration under policy 30 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010).
- (d) REFERENCE: NP/17/0137/ADV  
APPLICANT: Mr J Evans  
PROPOSAL: 2 no. fascia signs & 2 no. projecting signs  
LOCATION: Units 1-3 South Parade, Tenby

It was reported that this application sought consent to display advertisements at a proposed restaurant and takeaway. A planning application for the change of use of the existing vacant retail units to the restaurant/takeaway had been refused permission under reference NP/17/0178/FUL (Minute 6(c) refers).

The Solicitor also advised that consideration should be given to Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 which required the Authority to have special regard to the desirability of preserving the setting of a listed building – in this case the neighbouring War Memorial and Garden. This was a material consideration of significant weight.

The application site was located in a key position in Tenby on the junction of South Parade and Upper Park Road – opposite the Town Walls, and behind the War Memorial (a Grade II Listed building) and Memorial Gardens.

Planning permission had been approved in 2011 for the demolition of the former Delphi Hotel buildings which fronted both South Parade and Upper Park Road, and located to the rear of the memorial gardens, and their redevelopment with apartments, provided as affordable homes for rent and commercial units on the ground floor. The development was completed in 2016 and the apartments were occupied.



The report advised that in determining applications for advertisement consent, an authority is only able to consider issues of amenity and public safety. With regard to the latter, the Highway Authority had been consulted and advised that there were no objections on highway grounds.

In terms of amenity, it was recognised that the premises fell within a streetscape which was both commercial and residential in character, and that there were existing shopfronts at the site. The Authority's Conservation Officer had objected to the internal illumination of the main fascia signage overlooking the Memorial Gardens and recommended that the projecting signs be relocated to reduce their impact on the setting of the listed War Memorial. Officers agreed that the internal illumination of that particular fascia signage would be harmful to the setting of the listed building, and had suggested to the applicant that this be removed and replaced with small external spotlights.

The report concluded that while the proposed signage would not be considered to cause harm to issues of public safety, the internal illumination of the fascia signage was currently considered to be inappropriate to the setting of the War Memorial.

At the meeting, the officer added that in order to satisfy the concerns expressed, amended drawings had been received, and these would be sent out in a re-consultation exercise.

There was one speaker Mr Andrew Davies, Clerk to Tenby Town Council which was objecting to the application. He explained that while the Town Council had no objection to the proposed signage fronting South Parade, they were opposed to any similar signage on the side of the building behind the town's War Memorial, believing it to be out of keeping with the area. They accepted the need for branding, and for some form of signage on the building however they believed that something more suitable could be put forward, in the same way that many national and international companies modified their signage to be more in keeping with sensitive locations.

On Member suggested that few areas of Tenby could be considered more sensitive than this site, but agreed that all businesses needed signage. The problem was with the size and scale of the proposed signage as a backdrop to the Memorial Garden.

However, the officer recommendation to delegate the application to officers to issue consent subject to the receipt of acceptable amended plans and subject to standard advertisement conditions as set out in the report was moved and seconded, and the vote won on the Chair's casting vote.



**DECISION: That the application be delegated to the Chief Executive / Director of Planning / Team Leader Development Plans to issue consent receipt of acceptable amended plans and subject to standard advertisement conditions.**

- (e) REFERENCE: NP/17/0150/FUL  
APPLICANT: Leisureplex Hotels Ltd  
PROPOSAL: Build a three storey rear extension & create a vehicular access through the existing building connecting to the rear parking. Demolish rear late additions, new rear windows and doors with minor internal alterations throughout  
LOCATION: Cliffe Norton Hotel, 10 The Norton, Tenby

It was reported that the Cliffe Norton Hotel was listed Grade II and within the Tenby Conservation Area. The site was an existing hotel which was seeking to expand its accommodation provision within the existing site, with the new scheme providing a total of ninety one rooms within the hotel.

The application was reported to the Committee as it was classed as major development. A consideration of accompanying works requiring listed building consent was contained within the accompanying listed building application NP/17/0151 (Minute 6(f) refers).

The Solicitor also advised that consideration should be given to Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 which required the Authority to have special regard to the desirability of preserving the listed building, its setting or any featyres of special architectural or historic interest that it possesses. . This was a material consideration that must be accorded significant weight, not simply a material consideration as referred to in the report.

Several letters of concern/objection had been received from neighbours and the issues raised were summarised in the report. Further letters had been received from objectors and these had been circulated to the Committee prior to the meeting.

Officers considered that the current proposal had a design and scale which struck an appropriate balance between modernist 'legibility' and an interpretation of the surrounding historic architecture. In terms of scale/layout, the proposed extension was suitably set back from the rear elevation of the listed hotel, preserving the form of the rear elevations to an acceptable degree; this was enhanced by the proposed removal of the later extensions. The extension's design was also considered to be





suitably orientated to respect the neighbouring properties. The proposal was therefore considered to be acceptable in visual terms and maintained the special qualities of this area of Tenby. It was also considered acceptable in terms of preserving the setting of the conservation area and the surrounding listed buildings.

There was one speaker, Mr David Morgan, an objector who lived nearby, and who was speaking on behalf of neighbouring residents. He advised that while they had no objection to the development of a quality hotel, the overriding issue was the problem with coaches which presently serviced the hotel; these created problems of traffic, amenity and safety to pedestrians. Therefore there was no infrastructure to service an enlarged 91 bed hotel with proposals to narrow the highway as the coaches, which often arrived three at a time, already caused chaos and the problem would therefore be exacerbated. Mr Morgan noted that it was illegal to park on The Norton, however the coaches often parked on the zig zag lines adjacent to, as well as on, the pedestrian crossing. Although he acknowledged that parking was a civil matter, he believed that the hotel should provide a strategy plan for coach parking, drop off and pick up. Such improved traffic management provisions were allowed for under Policy 2 of the Local Development Plan. He also considered that the proposals were contrary to policies 30, 52 and 53 of the Plan as they would have an unacceptable impact on amenity, road and pedestrian safety. However he asked that if Members were minded to approve the application, that they impose a condition requiring a transport impact assessment to be provided which included monitoring and enforcement.

Mr Morgan then drew attention to some of the comments made by Mrs Sewell, another neighbour from 14 The Norton. She was concerned by the visual impact of the three storey extension, which was on higher ground 10m away from her property. She believed it would be overbearing and cause a loss of light due to the adverse impact of overshadowing. In this she questioned whether the sunlight and daylight assessments submitted by the applicant were correct as these seemed to be contradicted by a photograph which had been circulated to the Committee.

In responding to this latter point regarding sunlight assessment, the officer noted that the assessments from the agent had labelled the image as winter while the objector was referring to a photograph taken at a specific time and the two could not be compared directly. While it was likely there would be some impact, he did not consider this was sufficient to warrant refusal. The Solicitor also noted that there could be problems in enforcing a traffic management plan as the coaches were operated by a third party, rather than by the hotel itself.



While Members welcomed the proposal, which it was felt would enhance Tenby through its investment in the town, they agreed that a strategic travel management plan should be agreed to mitigate existing and ongoing problems regarding the loading and unloading of coaches.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, method statement for removal of the paint from number 10, parking, construction phase traffic management plan, strategic travel management plan, surface water drainage, archaeological work, bat mitigation, restricted hours for demolition or construction work and dust mitigation.**

- (f) REFERENCE: NP/17/0151/LBA  
APPLICANT: Leisureplex Hotels Ltd  
PROPOSAL: Construction of three storey extension to rear, creation of vehicular access through existing hotel to connect to rear car park. Demolition of later rear additions. New windows and doors to rear. Minor internal alterations  
LOCATION: Cliffe Norton Hotel, 10 The Norton, Tenby

It was reported that the Cliffe Norton Hotel was listed Grade II and within the Tenby Conservation Area. The site was an existing hotel which was seeking to expand its accommodation provision within the existing site, with the new scheme providing a total of ninety one rooms within the hotel.

The application was reported to the Committee as it was classed as a listed building application accompanying a major application NP/17/0150 (Minute 6(e) refers). It fell within the provisions of the listed building delegation Direction awarded to the Authority by Welsh Government on 25 July 2012 (as amended).

It was reported that much of the historic interior of the buildings had been lost to hotel use, but that which remained was to be retained. The proposed scheme, which was set back to preserve the rear elevations, was considered to be in keeping with the character of the listed building, and its setting in terms of design and form. With regard to the creation of the vehicular access through the existing hotel to connect to a rear car park, the applicant had demonstrated that there was no alternative in terms of providing access for parking and facilitating the proposed extension/upgrading works. As such the application could be supported with conditions.

There was one speaker, John McKellar who was resident at 7 The Norton, and who was also speaking on behalf of other neighbouring



properties. He noted that The Norton provided the main access to the north beach and was an iconic viewpoint. The proposal would lead to an increase in traffic and would be visually intrusive, contrary to policies 2, 15 and 30 of the Local Development Plan. Mr McKellar's main concern was the introduction of a vehicle access in the façade of the building and he drew Members' attention to photographs which he had circulated. He refuted the officer's assessment that the proposed archway would preserve the special interest of the building, noting that the building had never been a coaching inn and he did not believe it had the proportions to support such a feature. He was also concerned with the possibility of structural stability as the buildings in the terrace were at least 170 years old and he felt that a structural engineers report should be provided. He did not believe that the provision of 8 parking spaces justified the works and believed that the main reason was to facilitate the construction of the extension; he felt this could be achieved through crane access and there would then be no permanent impact on the locality. Alternatively the façade should be reinstated. Turning to other aspects of the officer's report, Mr McKellar did not believe the benefits would be as great as they appeared as guests to the hotel typically only spent one day in Tenby and he felt that the development would be detrimental to Tenby's core visitors who were families visiting the beach. The other archways in the streetscene had been created as part of new buildings rather than being part of the historic fabric and he felt that they presented a danger to pedestrian safety. He also criticised the consultation process as he felt that the Georgian Group had not been made aware of the age of the buildings to be altered, having only been provided with the Cadw listing which was non-specific regarding numbers 11-13. He concluded by saying there were too many unresolved issues and other alternatives should be considered before permission was granted.

In response to the objector, the officer agreed that the building had never been a coaching inn, but that the hotel had been created from a conglomeration of buildings which had been altered internally. Most of the original features were to be found in the upper building and these would be retained. The Georgian Group had been consulted on the application, but had not responded. He considered that the benefit to the community had to be balanced against the alterations to the building. He clarified for Members that there was a Victorian brick basement to no 13 and it was proposed that this be infilled. There were no proposals to improve the remainder of the frontage but it was hoped that this could be revisited in the future.

A Member also asked about the preservation of the railings to number 10 during removal of the paint on that building. The officer replied that there would be a method statement for construction to protect the stability of the



façade, however an extra condition could be included to require protection of all adjacent finishes and features.

**DECISION: That listed building consent be granted subject to conditions relating to timing, accordance with plans, method statement for removal of paint from no. 10, protection of finishes and features, parking, construction phase traffic management plan, surface water disposal and archaeological work.**

*[Councillor ML Evans disclosed an interest in the following two applications and withdrew from the meeting while they were considered.]*

- (g) REFERENCE: NP/17/0229/S73  
APPLICANT: Mr D Brown, Seaside Inns Ltd  
PROPOSAL: Vary condition no. 2 of NP/15/0526/FUL – Alterations to Clubhouse  
LOCATION: Buttyland Caravan & Camping Park, Manorbier, Tenby

Members were reminded that this application had been considered at the previous meeting of the Committee when it had been deferred to allow a site inspection to take place. The Committee visited the site on 3 July 2017.

There was one speaker, Mr Mark Sanders, the Agent. He had recently visited Buttyland and found it to be a well maintained and well managed caravan park, with everyone looking forward to the opening of the club house. The only objection from statutory consultees was from the Community Council which remained concerned about the increase in height of the building. This was only by 20cm – a 0.25% increase in height, which he said was imperceptible to the naked eye. The reason for the increase was for practical reasons – to allow the installation of a solid concrete floor at first floor level which would increase sound insulation and fire safety. Mr Sanders considered that the provision of a quality facility would improve the overall visitor experience and showed a financial commitment to the Manorbier area. There had been some public comment regarding the drainage issues, however these would be addressed by ongoing long term improvements at the Park and could be dealt with by condition. Likewise the hours of opening could be covered by condition or through the site licence from Pembrokeshire County Council.

Members acknowledged the contribution of the caravan park to the local economy and commented that the site inspection had been useful. They did not believe that the increase in height of the building by 20cm was a problem, however they remained unhappy regarding the failure of the applicant to adhere to the conditions imposed through the previous



application, and in particular to the removal of the hedge and its replacement with a wall. Some were also concerned by the introduction of a balcony which would lead to an increase in noise, particularly late at night, and asked that should the application be approved that there be a condition to prevent the building being used as accommodation.

**DECISION: That the application be approved subject to conditions relating to accordance with plans, details of extraction equipment to be approved, light mitigation strategy, managers accommodation not to be used as a separate residential unit, retention of remaining boundary treatment, foul drainage and opening hours.**

- (h) REFERENCE: NP/17/0258/FUL  
APPLICANT: Mr D Brown  
PROPOSAL: Retention 35 hardstandings & electric hook-up points; temporary change of use of existing building as a fish & chip shop; use of portacabin as a temporary reception office  
LOCATION: Buttyland Caravan & Camping Park, Manorbier, Tenby

Members were reminded that this application had been considered at the previous meeting of the Committee when it had been deferred to allow a site inspection to take place. The Committee visited the site on 3 July 2017.

It was reported at the meeting that a further objection had been received from a neighbour reiterating their previous concerns. It was also noted that there was an error in Condition 4 as set out in the report in that the hours of opening of the temporary fish and chip shop should be between 1100 and 2100 Monday to Sunday.

Mr Mark Sanders, the agent, again spoke on this application. He explained that temporary permission had been sought due to delays in the process caused by ongoing issues and this had delayed opening of the restaurant. The temporary arrangement had allowed the food hygiene rating to increase from 1 to 4 stars. The temporary office was also short term and would only be needed for a couple of months. The improvements would create additional employment, and the contractors used to undertake the work had also been sourced locally. With regard to the hardstandings and electric hook up points, these had been provided to allow the site to meet modern expectations. However the agent asked the Committee to reconsider condition 5 requiring alternative materials for the hardstandings and a colour scheme for the electric hook up points as he felt this would make them more, not less, unsightly. He concluded by advising the Committee that the holiday park had recently been grade three star by Visit Wales.



**DECISION: That the application be approved subject to conditions relating to accordance with plans, details of extraction equipment to be approved, light mitigation strategy, hours of opening of the temporary fish and chip shop, alternative materials for hardstandings and a colour scheme for the electric hook ups, removal of the temporary buildings within 1 year and surface water disposal.**

- (i) REFERENCE: NP/17/0290/FUL  
APPLICANT: Mr & Mrs M & T Lamb  
PROPOSAL: Demolition of existing rear outbuildings and construction of replacement 2 storey extension. Modification of existing gateway to provide parking within the rear garden  
LOCATION: Cartrefle, Long Street, Newport

It was reported that planning permission had been sought for the demolition of existing rear outbuildings and the construction of a replacement two-storey extension, insertion of roof lights as well as the modification of the existing gateway to provide parking within the rear garden. The scheme had been revised to omit works to the southern boundary to avoid removal of the hedge and conifers.

The application was reported to the Committee as the recommendation of Newport Town Council was of refusal, contrary to that of the officer. It was reported at the meeting that two further objections had been received since writing the report. One had related to alterations to the southern boundary of the site, however the plans had now been satisfactorily amended as set out above and concerns expressed regarding the access lane was a civil matter. The other objection related to the extension being overlarge and expressing concerns regarding loss of privacy. In order to address this latter point an addition condition was recommended such that fixed frosted glass be inserted in the attic windows.

Notwithstanding the objections raised, following consideration of the policies contained within the Local Development Plan and having regard to all material considerations, officers considered that the proposed development did not have an adverse impact on the special qualities of the National Park, the Conservation Area or neighbour amenity and was recommended for approval subject to conditions.



**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, submission of revised drawings, parking, archaeological scheme of investigation and obscured glazing to the attic windows.**

- (j) REFERENCE: NP/17/0300/FUL  
APPLICANT: Mr J Smith  
PROPOSAL: Realignment of garden boundary wall to form single parking space – demolition of dilapidated earth and stone wall rebuilding in good stonework to mask previous rebuild of wall to Mill lane  
LOCATION: Glanafon, Upper West Street, Newport

It was reported that the proposal comprised the demolition of the existing earth/stone bank and the construction of rubble stone walls to match those adjacent to the north. The application was reported to the Committee due to the recommendation of the Town Council which was contrary to that of the officer. PCC Drainage Engineers had requested additional information and a revised drawing had been submitted since the report had been written which had satisfied their concerns.

Notwithstanding the objections raised, following consideration of the policies contained within the Local Development Plan and having regard to all material considerations, officers considered that the proposed development did not have an adverse impact on the special qualities of the National Park or neighbour amenity and was recommended for approval subject to conditions.

One Member noted that much work had already been undertaken at this property which he believed had changed the character of the area. However he did not believe that what was proposed would have an adverse effect. The recommendation of approval was therefore moved and seconded.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plan and samples of stonework to be provided.**

**7. Matters relating to Enforcement – EC14/0080 – Non-compliance of planning condition 2 for removal of mobile home by 19 October 2015 – Berea Racing Stud, Berea, St Davids**

It was reported that temporary planning permission had been granted under application NP/11/321 for change of use to equestrian stud, including stables, associate offices and store and siting of residential caravan, with the caravan to be removed on or before 19 October 2014.



Following numerous discussions with the land owner to negotiate the removal of the caravan, a Breach of Condition Notice had been served by the Authority on 18 April 2017. To date the caravan was in-situ and the Breach of Condition Notice had not been complied with.

It was concluded that the site lay in the open countryside outside of a defined Centre boundary as set out in the Local Development Plan and the permanent use of the land for residential purposes had not be adequately justified as being essential for agriculture or another related purpose for which a countryside location was essential. As such the development failed to comply with the aims of the Local Development Plan in that the development was insensitively and unsympathetically sited within the landscape. It was therefore recommended that officers be authorised to instruct solicitors to commence prosecution proceedings for failure to comply with the Breach of Condition Notice.

It was **RESOLVED** that the Chief Executive/Director of Planning/Team Leader Development Management be authorised to instruct solicitors to commence prosecution proceedings in the Magistrates Court for failing to comply with the requirements of the Breach of Condition Notice dated 18 April 2017.

#### **8. Appeals**

The Development Management Team Leader reported on 5 appeals (against planning decisions made by the Authority) that were currently lodged with the Welsh Government, and detailed which stage of the appeal process had been reached to date in every case.

**NOTED.**





## 9. Other Planning Issues

REFERENCE: NP/16/0677/FUL & NP/16/0679/FUL  
APPLICANT: Bluestone National Park Resorts Ltd  
PROPOSAL: Conversion & restoration of existing Mill and ancillary buildings to provide heritage tourist facility. Construction of light narrow gauge steam railway with associated station & platform. Construction of 658sqm all-weather events barn & associated facilities, cycle parking, car parking, site infrastructure including drainage services along with hard & soft landscaping & boundary treatments; Engineering works to facilitate the land train route from main resort centre, due north, to link with newly refurbished & extended car park to serve the Blackpool Mill proposal  
LOCATION: Blackpool Mill, Blackpool Bridge, Narberth

Members were reminded that the above mentioned applications had previously been the subject of a Committee Site Visit on 27 February 2017. The Development Management Committee meeting of 10 May 2017 had deferred consideration of the applications as further information was required.

Given that there had been a number of changes to the membership of the Committee since the previous visit, Members were asked to consider a further site visit to view the site and its surroundings prior to reconsideration of the planning applications at a future Committee meeting.

One Member asked if a briefing on the planning history for Bluestone could be prepared and officers agreed that a supplementary report could be provided when the applications came back before the Committee.

It was **RESOLVED** that the Committee undertake a site visit to Blackpool Mill prior to applications NP/16/0677/FUL and NP/16/0679/FUL being reconsidered.

